

**FITZPATRICK, CELLA, HARPER & SCINTO**

30 Rockefeller Plaza  
New York, NY 10112-3800  
(212) 218-2100

Facsimile:(212) 218-2200

**FACSIMILE COVER SHEET**

**TO:** Examiner E. Lester  
USPTO

**FROM:** Raymond R. Mandra

**RE:** U.S. Patent Appln. No. 09/835,328  
Our Ref.: 00690.00003.20

**FAX NO.:** 571-273-2332

**DATE:** September 7, 2004

**NO. OF PAGES:** 6  
(including cover page)

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00690.000003.20

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Desaraju V. Varaprasad et al.

Application No.: 09/835,328

Filed: April 17, 2001

For: ELECTROCHROMIC POLYMERIC  
SOLID FILMS, MANUFACTURING ELECTROCHROMIC  
DEVICES USING SUCH SOLID FILMS, AND PROCESSES  
FOR MAKING SUCH SOLID FILMS AND DEVICES

Examiner: Evelyn A. Lester

Group Art Unit: 2873

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450PETITION UNDER 37 C.F.R. § 1.136(a)

Sir:

Applicants petition the Commissioner for Patents to extend the time for response to the Office Action dated August 27, 2003 for three months from November 27, 2003 to February 27, 2004.

Submitted herewith is a check for \$950.00 to cover the fee for the extension under 37 C.F.R. § 1.17. Any deficiency in or overpayment of this fee should be charged or credited to Deposit Account No. 06-1205. A duplicate copy of this petition is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 27, 2004  
(Date of Deposit)


Raymond R. Mandra  
(Name of Attorney for Applicant)

*Raymond R. Mandra*  
Signature

February 27, 2004  
Date of Signature

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Raymond R. Mandra  
Registration No. 34,382

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

NY MAIN 410407v1

#9

Docket No. 00690.000003.20  
Date: February 27, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Desaraju V. Varaprasad et al.

Application No.: 09/835,328

For: ELECTROCHROMIC POLYMERIC SOLID FILMS, MANUFACTURING  
ELECTROCHROMIC DEVICES USING SUCH SOLID FILMS, AND PROCESSES FOR  
MAKING SUCH SOLID FILMS AND DEVICES

Filed: April 17, 2001

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United States Postal Service as first-class mail in an envelope addressed  
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1450 on

February 27, 2004

(Date of Deposit)

Raymond R. Mandra

(Name of Attorney for Applicant)

*Raymond R. Mandra*  
Signature

February 27, 2004

Date of Signature

MAIL STOP AFTER FINAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences  
from the decision dated August 27, 2003 of the Primary Examiner finally rejecting claim 1.

The item(s) checked below are appropriate.

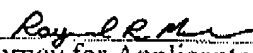
1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$950.00 extension fee under 37 C.F.R. §1.17, is filed herewith.
2. ☐ A Petition for an additional \_\_\_\_ month extension of time to take further action, together with the \$\_\_\_\_ extension fee under 37 C.F.R. §1.17, was filed on \_\_\_\_
3. ☒ Fee \$330.00

- ☐ Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☐ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Raymond R. Mandra  
Registration No. 34,382

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30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

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Commissioner for Patents  
~~XXXXXXXXXXXXXXXXXXXX~~  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date 2 / 27 / 04  
Mo. Day Yr.  
Atty. Docket 00690.000003.20  
Application 09/835,328

Sir:  
Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action. ....  
☐ Check for \$ ..... (claims fee)  
☒ Petition under 37 CFR 1.136 and Check for \$ 950.00  
☒ Notice of Appeal and Check for \$ 330.00  
☐ Information Disclosure Statement, PTO-1449 and ..... documents  
☐ Claim for priority and certified copies of ..... priority applications  
☐ Issue fee transmittal and Check for \$ .....  
☐ Other (specify) .....

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Atty. RRM/zs

Due Date 2 / 27 / 04  
Mo. Day Yr.

37 CFR 1.8 ☒  
37 CFR 1.10 ☐  
By Hand ☐

